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 11 MLC INTELLECTUAL PROPERTY, LLC

12 SEE PAGE 2 FOR ORDER

13
 14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16 MLC INTELLECTUAL PROPERTY,
 17 LLC,

v.
 18 Plaintiff,

19 MICRON TECHNOLOGY, INC.,

20 Defendant.

21 Case No. 3:14-cv-03657 SI

22 **JOINT REPORT REGARDING
 23 INTER PARTES REVIEW**

24 The Honorable Susan Illston

25 Pursuant to the Court's July 28, 2015 Order continuing the stay until September 30, 2015
 26 and requiring a joint statement by September 25, 2015 (Dkt. No. 35), MLC Intellectual Property,
 27 LLC ("MLC") and Micron Technology, Inc. ("Micron") provide this Joint Report. On August
 19, 2015, Micron filed a request with the Patent Trial and Appeal Board (the "Board") of the U.S.
 20 Patent and Trademark Office seeking rehearing of the decision not to institute an *inter partes*
 21 review of U.S. Patent No. 5,764,571. The *inter partes* review trial practice guide provides that
 22 "[t]he Board envisions that, absent a need for additional briefing by an opponent, requests for
 23 rehearing will be decided approximately one month after receipt of the request." 77 Fed. Reg.
 24 48768. As of the filing of this report, the Board has not requested MLC to file a response to
 25 Micron's rehearing request and Micron's request has not been decided.

1 On February 3, 2015, the parties filed a Stipulation and [Proposed] Order Regarding
2 Briefing Schedule for the Claim Construction Hearing. Dkt. No. 30. Later that day, the Court
3 granted Micron’s motion to stay the case pending *inter partes* review. Dkt. No. 31. As a result of
4 the stay, various deadlines and events on the Court’s calendar were vacated. *See id.* at 5
5 (“Because this action is stayed, the case management conference scheduled for March 20, 2015,
6 is VACATED.”); February 4, 2015 Docket Text (vacating June 10, 2015 Tutorial and June 17,
7 2015 Claim Construction Hearing).

MLC's Position:

9 MLC requests that the Court reschedule the case management conference previously set
10 for March 20, 2015.

~~Micron's Position:~~

ORDERED:

12 In view of the Board's pending Decision on Rehearing, Micron respectfully requests the
13 Court extend the existing stay for at least one month to Friday, October 30, 2015, with a joint
14 status report due Monday, October 26, 2015. Should the Board issue its decision before October
15 26, 2015, the parties would jointly report the decision within three business days thereafter.

Respectfully submitted,

18 || Dated: September 25, 2015

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/s/Daniel J. Weinberg

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1 Dated: September 25, 2015

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ATTESTATION

2 I, Daniel J. Weinberg, am the ECF User whose ID and password are being used to file this
3 **JOINT REPORT REGARDING *INTER PARTES* REVIEW.** I attest that, pursuant to United
4 States District Court, Northern District of California Civil L.R. 5-1(i)(3) and General Order 45,
5 concurrence in the filing of this document has been obtained from Counsel for Defendant Micron
6 Technology, Inc. I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 25, 2015

/s/Daniel J. Weinberg

Daniel J. Weinberg